

April 7, 2021

Via ECF

The Honorable P. Kevin Castel  
United States District Judge  
United States District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

**Re: *City of Sterling Heights Police & Fire Retirement System v. Reckitt Benckiser Group PLC, et al.*, 1:20-cv-10041-PKC (S.D.N.Y.)**

Dear Judge Castel:

Pursuant to Part 1.A of this Court's Individual Practices and Procedures, we write on behalf of Reckitt Benckiser Group PLC ("Reckitt"), Rakesh Kapoor, Adrian Hennah, Adrian Bellamy, and Shaun Thaxter ("Individual Defendants," and collectively, "Defendants"), and Lead Plaintiff City of Birmingham Retirement and Relief System and plaintiffs City of Pontiac General Employees' Retirement System and City of Sterling Heights Police & Fire Retirement System ("Plaintiffs," and together with the Defendants, the "Parties").

On December 23, 2020, this Court previously granted a first adjournment of the February 8, 2021 Initial Pretrial Conference to March 22, 2021, in connection with the Parties' joint letter requesting an adjournment until after the Parties had filed pre-motion letters directed at Plaintiffs' Second Amended Complaint. (Dkt. 66). On March 11, 2021, the Court granted Plaintiffs' request for leave to file a Third Amended Complaint and ordered Defendants to file a pre-motion letter directed to that amended pleading, if any, by April 9, 2021, and adjourned the March 22, 2021 conference to April 26, 2021. (Dkt. 77). Defendants intend to submit a pre-motion letter summarizing the legal and factual bases for their anticipated Motion to Dismiss.

The Parties hereby jointly request that the Initial Pretrial Conference scheduled for April 26, 2021 at 10:30 a.m., which is currently to be held pursuant to Fed. R. Civ. P. 16(a), be modified and converted into a pre-motion conference only regarding Defendants' anticipated motion to dismiss Plaintiffs' Third Amended Complaint. (Dkt. 82).

The Parties have conferred and agree that such adjournment of the Rule 16 Conference, as well as correlated requirements under Your Honor's Individual Practices (e.g., filing a case management plan) and meet-and-confer requirements under Rule 26(f), will serve to promote judicial efficiency while discovery in the Action is stayed pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u4(b)(3)(B).

The modification proposed here would not affect other scheduled dates and the proposal is made

Appellate  
GRANTED, provided  
that the Court  
may raise and matter  
discussed  
controlled  
by Rule 16.  
ORDERED  
4-12-21

April 7, 2021

Page 2

with the consent of all parties.

We thank the Court for its consideration of this request.

Respectfully submitted,

Dated: April 7, 2021

/s/ Michael G. Bongiorno

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

Michael G. Bongiorno  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007  
212 295 6425 (t)  
212 230 8888 (f)  
michael.bongiorno@wilmerhale.com  
Timothy J. Perla  
Jessica L. Lewis  
60 State Street  
Boston, MA 02109  
617 526 6000 (t)  
617 526 5000 (f)  
timothy.perla@wilmerhale.com  
jessica.lewis@wilmerhale.com  
*Counsel for Defendants Reckitt  
Benckiser Group plc.,  
Rakesh Kapoor, Adrian Hennah, and  
Adrian Bellamy*

**KING & SPALDING LLP**

Israel Dahan  
Richard T. Marooney, Jr.  
Paul A. Straus  
1185 Avenue of the Americas  
New York, NY 10036  
Telephone: 212/556-2100  
Fax: 212/556-2222  
idahan@kslaw.com  
rmarooney@kslaw.com  
pstrauss@kslaw.com  
*Counsel for Defendant Shaun Thaxter*

/s/ Alan I. Ellman

**ROBBINS GELLER RUDMAN &  
DOWD LLP**

Samuel H. Rudman  
Mario Alba Jr.  
Alan I. Ellman  
Christopher T. Gilroy  
Sarah E. Delaney  
58 South Service Road,  
Suite 200 Melville, NY 11747  
Telephone: 631-367-7100  
Fax: 631-367-1173  
srudman@rgrdlaw.com  
malba@rgrdlaw.com  
aellman@rgrdlaw.com  
cgilroy@rgrdlaw.com  
sdelaney@rgrdlaw.com  
*Lead Counsel for Lead Plaintiff and the  
Class*

**VANOVERBEKE, MICHAUD &  
TIMMONY, P.C.**

Thomas C. Michaud  
79 Alfred Street  
Detroit, MI 48201  
Telephone: 313/578-1200  
Fax: 313/578-1201

**ASHERKELLY**

Cynthia J. Billings-Dunn  
25800 Northwestern Highway  
Suite 1100 Southfield, MI 48075  
Telephone: 248/746-2710  
Fax: 248/747-2809  
*Attorneys for Plaintiffs*